

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 23, 24, 29-32 and 53 are pending in the application, with Claim 24 being the only independent claim. Claim 27 has been cancelled without prejudice. Claim 24 has been amended to recite the features of Claim 27. Applicants submit that no new matter has been added.

Claims 23, 24, 27 and 29-32 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over Claims 1-32 of U.S. Patent No. 6,460,989 (Yano et al.); Claims 1-21 of U.S. Patent No. 6,659,601 (Goto et al.); Claims 1-40 of U.S. Patent No. 6,517,199 (Tomioka et al.); Claims 1-37 of U.S. Patent No. 6,719,420 (Tomioka et al.); Claims 1-22 of U.S. Patent No. 6,729,718 (Goto et al.); Claims 1-39 of U.S. Patent No. 6,821,328 (Tomioka et al.); and Claims 1-23 of U.S. Patent No. 6,746,114 (Takahashi et al.). Applicants submit that none of the claims cited for the obviousness-type double patenting rejections teach or suggest the features of independent Claim 24. Accordingly, Applicants respectfully request reconsideration and withdrawal of the obviousness-type double patenting rejections. Applicants note, however, that if the Examiner maintains these rejections, Applicants will consider filing a terminal disclaimer.

Claims 23, 24 and 29-32 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,527,843 (Zaima et al.). This rejection is respectfully traversed. Nevertheless, without conceding the propriety of the rejection, and

solely to advance prosecution of this application, Applicants have amended independent Claim 24 to recite the features of Claim 27, which was not rejected over Zaima et al. Accordingly, Applicants submit that Zaima et al. does not teach or suggest, at least, a ratio of the coloring material to the fine particles is larger in a peripheral portion of the image than in the remaining portion of the image, as recited in Claim 24. Reconsideration and withdrawal of the § 103 rejection are requested.

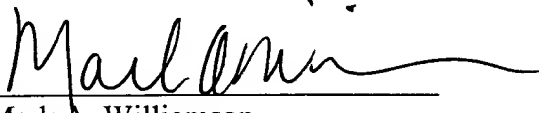
Applicants respectfully submit that the present invention is patentably defined by independent Claim 24. Dependent Claims 23, 29-32 and 53 are also allowable, in their own right, for defining features of the present invention in addition to those recited in independent Claim 24. Individual consideration of the dependent claims is requested.

Applicants respectfully request that this Amendment After Final be entered. This Amendment was not presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application and the fact that this Amendment does not raise any new issues, Applicants believe that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, Applicants submit that this Amendment places the application in condition for allowance. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Applicants submit that this application is in condition for allowance. Reconsideration and withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


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